

Congress Approves Landmark Legislation on Agent Orange

On December 16, 2014, President Barack Obama signed into law the Consolidated and Further Continuing Appropriations Act, 2015 (H.R. 83). The Act appropriates funds to address the Agent Orange/ dioxin legacy in Vietnam and provides guidance to the State Department and USAID on how these funds should be spent. From 2007 up to now the Congress has provided some \$100 million for remediation of dioxin contaminated soils at former U.S. military bases in Vietnam and \$31 million for health/disability assistance.

The 2015 Appropriations Act requires a new and more sharply focused use of these funds for people with specific types of disabilities who live in areas where Agent Orange was sprayed or stored. This requirement helps to address a legacy issue from the war in in a way that both countries can accept and will further strengthen ties between the U.S. and Vietnam.

The Background: In 2013 Congress moved to direct health/disability assistance to “areas that were heavily sprayed with Agent Orange or are otherwise contaminated with dioxin.” This language was repeated in 2014 and now again in the 2015 Appropriation Act:

“...funds appropriated under the heading ‘Development Assistance’ shall be made available for health/disability activities in areas sprayed with Agent Orange or otherwise contaminated with dioxin.”

THE 2015 Appropriations Act adds a new and important feature. Congress has provided guidance on who within the designated geographical areas should be given preference in receiving assistance.

“[These funds] should prioritize assistance for individuals with severe upper or lower body mobility impairment and/or cognitive or developmental disabilities.”

The conclusion is this: American assistance should focus in future first and foremost on people with severe physical and/or mental disabilities who live in areas that were sprayed with Agent Orange or in areas near dioxin hotspots. This approach achieves the greatest positive impact on people from the available funds.

The Act makes very clear that Agent Orange is a humanitarian concern we can do something about and helps us to better get on with that task.

(For further information, see Charles R. Bailey, *Delivering Services to People with Disabilities Associated with Exposure to Dioxin in Vietnam*, The Aspen Institute, June 2, 2014, in “Current Reports & Publications” at www.aspeninstitute.org/policy-work/agent-orange.)